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Senator Steven Cassano, Co-Chair
Representative Linda Gentile, Co-Chair

Testimony on SB 263, An Act Concerning Liability of Zoning Enforcement Officers

Senator Cassano, Representative Gentile and distinguished members of the Planning and Development Committee, thank you for this opportunity to submit comments on SB 263, An Act Concerning Liability of Zoning Enforcement Officers.

My name is Bill Brennan and I have been First Selectman of the Town of Wilton since 2005. I am also a former Chairman of the Town's Board of Finance.

An inequity exists in Section 8-12a (c) of the General Statutes of Connecticut pertaining to the liability of Zoning Enforcement Officers (ZEOs). Consistent with other municipal enforcement officers, ZEOs should not be subject to any amount of personal liability and expenses due to a civil action resulting from a citation found to be frivolous or without probable cause.

To rectify the current statute, I respectfully urge the complete elimination of Section 8-12a (c), which would place ZEOs on an equal footing with other municipal enforcement officials.

This course of action would be an effective solution and be better than modifying the current language, which shifts the burden to the municipalities to assume the risk and in essence, becomes another unfunded mandate!

My experience with our land use officials indicates that they conscientiously perform their responsibilities. It is unfair to hold these officials to a higher standard and personal financial risks than others. Consequently, I urge the Planning and Development Committee to completely eliminate Section 8-12a (c).

Thank you again, for allowing me to submit this testimony.

Sincerely,

William F. Brennan
First Selectman, Town of Wilton